

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for U.S. Bank National  
Association, not in its individual  
capacity but solely as Indenture  
Trustee of CIM Trust 2018-NR1

In Re:

Todd Swillinger and Kathleen Y. Fong-Swillinger



Order Filed on January 15, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 20-21428

Chapter:

Hearing Date: Wednesday, Dec. 16, 2020

Judge: The Honorable Christine Gravelle

**CONSENT ORDER RESOLVING OBJECTION TO CONFIRMATION**

The relief set forth on the following pages, numbered two (2) through 2 is  
**ORDERED.**

**DATED: January 15, 2021**

A handwritten signature in black ink, appearing to read "Christine M. Gravelle".  
\_\_\_\_\_  
Honorable Christine M. Gravelle  
United States Bankruptcy Judge

Nicole LaBletta, Esquire  
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Attorney for Secured Creditor

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

CASE NO. 20-21428

IN RE:

CHAPTER 13

Todd Swillinger and Kathleen Y.  
Fong-Swillinger  
Debtors

CONSENT ORDER RESOLVING  
OBJECTION TO CONFIRMATION

HEARING DATE

This Consent Order pertains to the property located at 99 Bayberry Drive, Somerset, NJ 08873 ;

THIS MATTER having been brought before the Court by, Robert C. Nisenson, Esquire attorney for the debtors, Todd Swillinger and Kathleen Y. Fong-Swillinger, upon the filing of a Chapter 13 Plan, and U.S. Bank National Association not in its individual capacity but solely as Indenture Trustee of CIM Trust 2018-NR1 ("Secured Creditor") by and through its attorneys, Pincus Law Group, PLLC, having filed an Objection to the Confirmation of said Chapter 13 Plan and the parties having subsequently resolved their differences; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for other and good cause shown:


ORDERED as follows:

1. Pursuant to the Loss Mitigation Order entered in this case, the Debtor shall make post adequate protection payments to Secured Creditor.

2. In the event a loan modification is not obtained, Debtor will amend its plan to provide for arrearages as contained in Secured Creditor's Proof of Claim 10-1, or to surrender the Property.
3. This Order shall be incorporated in and become a part of any Order Confirming Plan in the herein matter.

The undersigned hereby consent to the form, Content and entry of the within Order:

Robert Nisenson, ESQUIRE  
Attorney for the Debtors

/s/ 

Robert Nisenson, Esq.

/s/Nicole LaBletta  
Nicole B. LaBletta, Esq.  
Attorney for Secured Creditor:

Dated: Jan. 7, 2021

In re:  
Todd Swillinger  
Kathleen Y. Fong-Swillinger  
Debtors

Case No. 20-21428-CMG  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3  
Date Rcvd: Jan 15, 2021

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 17, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Todd Swillinger, Kathleen Y. Fong-Swillinger, 99 Bayberry Drive, Somerset, NJ 08873-4212

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 17, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 15, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY IN ITS CAPACITY AS INDENTURE TRUSTEE OF CIM TRUST 2018-NR1 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Nicole B. LaBletta	on behalf of Creditor U.S. Bank National Association et al nlabletta@pincuslaw.com brausch@pincuslaw.com
Robert C. Nisenson	on behalf of Joint Debtor Kathleen Y. Fong-Swillinger r.nisenson@rcn-law.com doreen@rcn-law.com;g2729@notify.cincompass.com;nisensonrr70983@notify.bestcase.com
Robert C. Nisenson	on behalf of Debtor Todd Swillinger r.nisenson@rcn-law.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Jan 15, 2021

Form ID: pdf903

Total Noticed: 1

doreen@rcn-law.com;g2729@notify.cincompass.com;nisenonrr70983@notify.bestcase.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William H Brosha

on behalf of Creditor Quailbrook Phase 1B Townhomes Association Inc. collections@theassociationlawyers.com

TOTAL: 7